



The Commonwealth of Massachusetts
 Executive Office of Health and Human Services
 Department of Public Health
 Bureau of Climate and Environmental Health
 Community Sanitation Program
 128 East Mountain Road
 Westfield, MA 01085-1889
 Phone: 617-448-3373

MAURA T. HEALEY
 Governor

KIMBERLEY L. DRISCOLL
 Lieutenant Governor

KATHLEEN E. WALSH
 Secretary

ROBERT GOLDSTEIN, MD,
 PhD Commissioner

Tel: 617-624-6000
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September 26, 2023

Thomas Bowler, Sheriff
 Berkshire County Jail and House of Correction
 467 Cheshire Road
 Pittsfield, MA 01201 (electronic copy)

Re: Facility Inspection - Berkshire County Jail and House of Correction, Pittsfield

Dear Sheriff Bowler:

In accordance with M.G.L. c. 111, §§ 5, 20, and 21, as well as Massachusetts Department of Public Health (Department) Regulations 105 CMR 451.000: Minimum Health and Sanitation Standards and Inspection Procedures for Correctional Facilities; 105 CMR 480.000: Minimum Requirements for the Management of Medical or Biological Waste (State Sanitary Code, Chapter VIII); 105 CMR 590.000: Minimum Sanitation Standards for Food Establishments (State Sanitary Code Chapter X); the 2013 Food Code; 105 CMR 500.000 Good Manufacturing Practices for Food; and 105 CMR 205.000 Minimum Standards Governing Medical Records and the Conduct of Physical Examinations in Correctional Facilities; the Department's Community Sanitation Program (CSP) conducted an inspection of the Berkshire County Jail and House of Correction on September 22, 2023 accompanied by Alan Ceti, Fire and Safety Officer; Captain Robert McCluskey; and Sergeant Daniel Macwhinnie. Violations noted during the inspection are listed below including 36 repeat violations:

Should you have any questions, please don't hesitate to contact me.

Sincerely,

Scott Koczela
 Environmental Analyst, CSP, BCEH

cc: Robert Goldstein, MD, PhD, Commissioner, DPH
 Nalina Narian, Director, BCEH
 Steven Hughes, Director, CSP, BCEH
 Kathleen E. Walsh, Secretary, Executive Office of Health and Human Services (electronic copy)
 Carol A. Mici, Commissioner, DOC (electronic copy)
 Terrence Reidy, Secretary, EOPSS (electronic copy)
 Timothy Gotovich, Director, Policy Development and Compliance Unit (electronic copy)
 Brad Little, Superintendent (electronic copy)
 Alan Cetti, Fire and Safety Officer (electronic copy)
 Danielle Tyer, Compliance and Training Supervisor (electronic copy)
 Andy Cambi, Health Director, Pittsfield Board of Health (electronic copy)
 Clerk, Massachusetts House of Representatives (electronic copy)
 Clerk, Massachusetts Senate (electronic copy)

HEALTH AND SAFETY VIOLATIONS

(* indicates conditions documented on previous inspection reports)

FRONT ENTRY

Lobby No Violations Noted

Mail Room No Violations Noted

Female Bathroom No Violations Noted

Male Bathroom No Violations Noted

ADMINISTRATION (OUTSIDE)

Female Staff Bathroom No Violations Noted

Male Staff Bathroom No Violations Noted

Break Room
105 CMR 451.200 Food Storage, Preparation and Service: Food preparation not in compliance with 105 CMR 590.000, interior of microwave oven dirty

STAFF GYM No Violations Noted

Break Area
105 CMR 451.200 Food Storage, Preparation and Service: Food preparation not in compliance with 105 CMR 590.000, interior of microwave oven dirty

Janitor's Closet Unable to Inspect – Locked

Female Locker Room No Violations Noted

Male Locker Room No Violations Noted

INTAKE/BOOKING

Female Search Room # 1 No Violations Noted

Male Search Room # 2 No Violations Noted

Male Staff Bathroom No Violations Noted

<i>Female Staff Bathroom</i>	No Violations Noted
<i>Cells</i>	No Violations Noted
<i>Medical Screening Room # BR10</i>	No Violations Noted
<i>Records</i>	No Violations Noted
<i>Urinalysis Lab</i>	No Violations Noted
<i>Storage Room # BR18</i>	No Violations Noted
<i>Janitor's Closet # BR20</i>	No Violations Noted
<i>Transportation Room</i> 105 CMR 451.200	Food Storage, Preparation and Service: Food storage not in compliance with 105 CMR 590.000, no functioning thermometer in refrigerator
<i>Sally Port</i>	No Violations Noted
Mental Health Interview Room	No Violations Noted
<i>Inmate Bathroom</i>	No Violations Noted
<u>PROPERTY</u>	No Violations Noted
<i>Office</i>	No Violations Noted
<u>HOUSING</u>	
<u>A-POD</u>	
<i>Triage Office</i>	No Violations Noted
<i>Counselor's Office</i>	No Violations Noted
<i>Recreation Deck</i>	No Violations Noted
<i>Cells</i> 105 CMR 451.353	Interior Maintenance: Wall vent blocked in cell # A116 and A208

Lower Janitor's Closet

No Violations Noted

Storage Closet

No Violations Noted

Lower Showers # 1-3

105 CMR 451.123*

Maintenance: Floor not easily cleanable, floor finish damaged in shower # 1-3

105 CMR 451.123*

Maintenance: Soap scum on floor in shower # 1 and 2

105 CMR 451.123*

Maintenance: Soap scum on walls in shower # 1

105 CMR 451.123

Maintenance: Soap scum on walls in shower # 2

105 CMR 451.123

Maintenance: Mold observed on floor in shower # 1 and 3

Upper Showers # 4-7

105 CMR 451.123

Maintenance: Floor not easily cleanable, floor finish damaged in shower # 4-7

105 CMR 451.123

Maintenance: Soap scum on floor in shower # 4 and 5

105 CMR 451.123*

Maintenance: Soap scum on walls in shower # 4 and 5

105 CMR 451.123

Maintenance: Mold observed on floor in shower # 7

Upper Janitor's Closet

No Violations Noted

Sub Day Room

No Violations Noted

Cells

No Violations Noted

Shower

105 CMR 451.123

Maintenance: Shower dirty

A and B POD CONTROL

No Violations Noted

Control Bathroom

No Violations Noted

B-POD

Offices

No Violations Noted

Staff Bathroom

No Violations Noted

Recreation Deck

No Violations Noted

Cells

105 CMR 451.353

Interior Maintenance: Wall vent blocked in cell # B110

Lower Janitor's Closet

No Violations Noted

Storage Closet

No Violations Noted

<i>Lower Showers # 1-3</i> 105 CMR 451.123*	Maintenance: Floor not easily cleanable, floor finish damaged in shower # 1-3
<i>Upper Showers # 4-7</i> 105 CMR 451.123	Maintenance: Floor not easily cleanable, floor finish damaged in shower # 4-7
<i>Upper Janitor's Closet</i>	No Violations Noted
Sub Day Room	No Violations Noted
<i>Cells</i>	No Violations Noted
<i>Shower</i> 105 CMR 451.123*	Maintenance: Floor not easily cleanable, floor finish damaged in shower
<u>C-POD</u>	
<i>Triage Office</i>	No Violations Noted
<i>Offices</i>	No Violations Noted
<i>Staff Bathroom</i>	No Violations Noted
<i>Recreation Deck</i>	No Violations Noted
<i>Cells</i>	No Violations Noted
<i>Lower Janitor's Closet</i>	No Violations Noted
<i>Storage Closet</i>	No Violations Noted
<i>Lower Showers # 1-3</i> 105 CMR 451.123* 105 CMR 451.123	Maintenance: Floor not easily cleanable, floor finish damaged in shower # 1-3 Maintenance: Soap scum on floor in shower # 1 and 3
<i>Upper Showers # 4-7</i> 105 CMR 451.123*	Unable to Inspect Shower # 4, In-Use Maintenance: Floor not easily cleanable, floor finish damaged in shower # 5, 6, and 7
<i>Upper Janitor's Closet</i>	No Violations Noted
Sub Day Room	No Violations Noted
<i>Cells</i>	No Violations Noted

Shower
105 CMR 451.123* Maintenance: Floor not easily cleanable, floor finish damaged in shower

D-POD

Offices
No Violations Noted

Staff Bathroom
No Violations Noted

Recreation Deck
No Violations Noted

Cells
No Violations Noted

Lower Janitor's Closet
No Violations Noted

Storage Closet
No Violations Noted

Lower Showers # 1-3
105 CMR 451.123* Maintenance: Floor not easily cleanable, floor finish damaged in shower # 1-3
105 CMR 451.123 Maintenance: Mold observed on floor in shower # 3

Upper Showers # 4-7
105 CMR 451.123* Maintenance: Floor not easily cleanable, floor finish damaged in shower # 4-7

Upper Janitor's Closet
No Violations Noted

Sub Day Room
No Violations Noted

Cells
No Violations Noted

Shower
105 CMR 451.123* Maintenance: Floor not easily cleanable, floor finish damaged in shower
105 CMR 451.130 Hot Water: Shower water temperature recorded at 116°F

E-POD
Unable to Inspect – Under Construction

F-POD
Unable to Inspect – Under Construction

G-POD
Triage Room
No Violations Noted

Office
No Violations Noted

<i>Staff Bathroom</i>	No Violations Noted
<i>Recreation Deck</i>	No Violations Noted
<i>Cells</i>	No Violations Noted
<i>Lower Janitor's Closet</i>	No Violations Noted
<i>Storage Closet</i>	No Violations Noted
<i>Lower Showers # 1-3</i> 105 CMR 451.123*	Maintenance: Floor not easily cleanable, floor finish damaged in shower # 1-3
<i>Upper Showers # 4-7</i> 105 CMR 451.123*	Maintenance: Floor not easily cleanable, floor finish damaged in shower # 4-7
<i>Upper Janitor's Closet</i>	No Violations Noted
Sub Day Room	No Violations Noted
<i>Cells</i>	No Violations Noted
<i>Shower</i> 105 CMR 451.123* 105 CMR 451.130	Maintenance: Floor not easily cleanable, floor finish damaged in shower Hot Water: Shower water temperature recorded at 123°F

MULTI-PURPOSE ROOMS (Outside G and H PODS)

No Violations Noted

GYM

No Violations Noted

<i>Weight Room</i> 105 CMR 451.353*	Interior Maintenance: Padding damaged on incline bench
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<i>Office # RE07</i>	No Violations Noted
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<i>Storage # RE05</i>	No Violations Noted
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<i>Janitor's Closet # RE04</i>	No Violations Noted
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<i>Staff Bathroom # RE03</i>	No Violations Noted
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Inmate Bathroom # RE02

No Violations Noted

COMMISSARY

No Violations Noted

KITCHEN HALLWAY

Female Staff Bathroom

No Violations Noted

Male Staff Bathroom

No Violations Noted

Cert Room # FS02

Unable to Inspect – Locked

KITCHEN

The following Food Code violations listed in **BOLD** were observed to be corrected on-site.

Handwash Sink

No Violations Noted

Cart Room

No Violations Noted

Dry Storage

No Violations Noted

Walk-in-Cooler

No Violations Noted

Walk-in-Freezer

No Violations Noted

Produce Cooler

No Violations Noted

Office

No Violations Noted

Bakery

No Violations Noted

Hobart Coolers

No Violations Noted

Food Prep Tables (near Ventilation Hoods)

FC 6-501.12(A)

**Maintenance and Operation; Premises, Structure, Attachments, and Fixtures -
Methods: Facility not cleaned as often as necessary, can opener dirty**

Ventilation Hoods

No Violations Noted

Handwash Sink

No Violations Noted

<i>Worker's Changing Room</i>	No Violations Noted
<i>Worker's Bathroom # FS09 (located in changing room)</i>	No Violations Noted
<i>Reach-in-Freezer</i>	No Violations Noted
<i>Inmate Bathroom # FS07</i>	No Violations Noted
<i>Storage Closet # FS06</i>	No Violations Noted
<i>Worker's Serving Line</i> FC 4-501.114(A)	Maintenance and Operation; Equipment: Chlorine Sanitizer solution tested lower than recommended concentration
<i>Dishwashing Area</i>	No Violations Noted
<i>Handwash Sink</i>	No Violations Noted
<i>Worker's Dining Area</i>	No Violations Noted
<i>Ice Machine</i>	No Violations Noted
<i>Chemical Storage</i>	No Violations Noted
Staff Dining Area	No Violations Noted
<i>Serving Line</i>	No Violations Noted
<i>Handwash Sink</i>	No Violations Noted
<u>LAUNDRY</u>	No Violations Noted
<i>Bathroom # LA02</i>	No Violations Noted
<i>Storage Closet # LA03</i>	No Violations Noted
<i>Office # LA04</i>	No Violations Noted

Maintenance Closet # LA05

Unable to Inspect – Locked

Maintenance Area # MA01A

Chemical Closet # MA02

No Violations Noted

Trash Room # MA09

No Violations Noted

Dumpster Area

No Violations Noted

Office Area

No Violations Noted

Bathroom # MA05

No Violations Noted

Bathroom # MA06

105 CMR 451.123

Maintenance: Ceiling vent dusty

Supply Closet # MA07

No Violations Noted

VOCATIONAL EDUCATION

Carpentry Shop

No Violations Noted

Maintenance Shop

No Violations Noted

Graphic Arts

No Violations Noted

IT Office

No Violations Noted

Staff Bathroom

No Violations Noted

Inmate Bathroom

No Violations Noted

Education Area

Classrooms

No Violations Noted

Library

No Violations Noted

Inmate Bathroom

No Violations Noted

HUMAN SERVICES

Staff Bathroom # HS10 No Violations Noted

Break Room # HS13 No Violations Noted

MEDICAL

Medical Storage # MS07 No Violations Noted

Medical Waste Storage/Records # MS06
105 CMR 480.500(B)(2)(b-d)* Procedures; Records; Record-Keeping Log: Generator did not specify off-site treatment parameters, missing and inaccurate entries

Janitor's Closet # MS05 No Violations Noted

Dental

Dental Office # MS12 No Violations Noted

Exam Room # 1 No Violations Noted

Exam Room # 2 No Violations Noted

Staff Bathroom # MS04 No Violations Noted

Tub Room No Violations Noted

Inmate Waiting Area No Violations Noted

Storage (former Inmate Bathroom)
Unable to Inspect – Not Used

VISITING AREA

No Violations Noted

Strip Search Room No Violations Noted

Non-Contact Visiting No Violations Noted

CENTRAL CONTROL

No Violations Noted

Control Bathroom

No Violations Noted

Key Room

Unable to Inspect – Locked

WAREHOUSE

No Violations Noted

Office

No Violations Noted

Walk-in-Cooler

No Violations Noted

Walk-in-Freezer

No Violations Noted

Bathroom

No Violations Noted

Storage Room

Unable to Inspect – Locked

Vehicle Maintenance Garage

No Violations Noted

Inmate Bathroom

No Violations Noted

Observations and Recommendations

1. The inmate population was 196 at the time of inspection.
2. Hot water temperature range for showers is 100^oF-112^oF.
3. At the time of the inspection Housing Pod-E and F were unoccupied and under construction.

This facility does not comply with the Department’s Regulations cited above. In accordance with 105 CMR 451.404, please submit a plan of correction within 10 working days of receipt of this notice, indicating the specific corrective steps to be taken, a timetable for such steps, and the date by which correction will be achieved. The plan should be signed by the Superintendent or Administrator and submitted to my attention, at the address listed above.

To review the specific regulatory requirements please visit our website at www.mass.gov/dph/dcs and click on "Correctional Facilities" (available in both PDF and RTF formats).

To review the Food Establishment Regulations or download a copy, please visit the Food Protection website at www.mass.gov/dph/fpp and click on "Retail food". Then under DPH Regulations and FDA Code click "Merged Food Code" or "105 CMR 590.000 - State Sanitary Code Chapter X - Minimum Sanitation Standards for Food Establishments".

To review the Labeling regulations please visit the Food Protection website at www.mass.gov/dph/fpp and click on “Food Protection Program regulations”. Then under Food Processing click “105 CMR 500.000: Good Manufacturing Practices for Food”.

This inspection report is signed and certified under the pains and penalties of perjury.

Sincerely,



Scott Koczela
Environmental Analyst, CSP, BCEH